

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 06-42140

ALISA DAWSON,

Chapter 13

Debtor.

Judge Thomas J. Tucker.

ORDER DENYING DISCHARGE

On April 16, 2009, the Court entered an “Order to Show Cause Why Debtor is Entitled to a Discharge,” requiring Debtor and her attorney to “appear . . . and show cause why the debtor(s) is entitled to discharge in view of 11 U.S.C. 1328(f).” The Court held a hearing on April 23, 2009. At the hearing, the Court determined that Debtor is not entitled to a discharge in view of 11 U.S.C. § 1328(f)(1), because Debtor received a Chapter 7 discharge in a case filed within 4 years before the date of the order for relief in this case.¹ Accordingly,

IT IS ORDERED that Debtor’s discharge is DENIED.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(1), the automatic stay under § 362(a) continues with respect to any act against property of the estate, until such property is no longer property of the estate; or until such stay terminates under some other provision of the Bankruptcy Code; or until the Court orders otherwise.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(2)(C), the automatic stay under § 362(a) of any act other than an act against property of the estate is terminated.

¹ Debtor received a Chapter 7 discharge in Case No. 05-87966 on January 19, 2006. The voluntary petition in that case was filed on October 15, 2005. The voluntary petition in the present case was filed within 4 years of that date, on February 24, 2006. (The date of the order for relief in the present case also was February 24, 2006. *See* 11 U.S.C. § 301(b).)

Signed on April 23, 2009

/s/ Thomas J. Tucker

**Thomas J. Tucker
United States Bankruptcy Judge**